

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

KEITH D. RUDOLPH,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:06-CV-0994-ID
)	
MOBIS ALABAMA, LLC,)	
)	
Defendant .)	

ORDER

This case is referred to the undersigned for discovery issues. Upon consideration of Plaintiff's *Motion to Compel* (Doc. 9, filed May 3, 2007) and *Defendant's Response to Plaintiff's Motion to Compel* (Doc. 11, filed May 14, 2007), it is for good cause

ORDERED that Plaintiff's *Motion to Compel* (Doc. 9) is **DENIED**. In reviewing both parties' motions, the Court determines Interrogatory Number One would be broken down into subparts based on each Request for Admission not fully admitted as well as at least two separate inquiries for each request for admission. Since the parties agreed upon a total of fifty (50) interrogatories including sub-parts, Defendant is within its rights to refuse to answer additional interrogatories. *See* Doc. 7, Report of Parties' Planning Meeting.

Defendant has requested reasonable expenses incurred in the defense of the Motion to Compel pursuant to Fed. R. Civ. P 37(a)(4)(B). Plaintiff is **ORDERED** to show cause on or before **May 22, 2007** as to why the request for expenses should not be granted. It is further **ORDERED** that the parties shall convene for a Hearing on the issue of expenses on

May 25, 2007 at 10:00 a.m. to determine the issue of entitlement to reasonable expenses in connection with the Motion to Compel. The conference shall be in District Courtroom 4A, Frank M. Johnson, Jr. United States Courthouse Complex, One Church Street, Montgomery, Alabama. The conference shall be attended by at least one of the attorneys representing each of the parties and by any party who is not represented by an attorney.

DONE this 15th day of May, 2007.

/s/Terry F. Moorer
TERRY F. MOORER
UNITED STATES MAGISTRATE JUDGE